

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

FELIPE A. PRIAST,

Plaintiff,

v.

**DATAMATICS CONSULTANTS,
INC.,**

Defendant.

CIVIL ACTION FILE

NO. 1:15-CV-310-MHC


ORDER

Before the Court is a Request for Voluntary Dismissal Pursuant to Fed. R. Civ. P. 41(a)(2) filed by Plaintiff seeking to dismiss the remaining Defendant, Datamatics Consultants, Inc. (“Datamatics”), without prejudice. [Doc. 58]. Rule 41(a)(1)(A)(i) provides that a plaintiff may dismiss an action without court order by filing a notice of dismissal “before the opposing party serves either an answer or a motion for summary judgment.” Datamatics filed its answer on August 6, 2014 [Doc. 19]. Therefore, this action may be dismissed against Datamatics only by order of this Court. See FED. R. CIV. P. 41(a)(2). This Court has contacted counsel for Datamatics, and was advised that said Defendant does not oppose the

dismissal without prejudice.

Accordingly, it is hereby **ORDERED** that, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Defendant Datamatics Consultants, Inc. is **DISMISSED WITHOUT PREJUDICE**. Because there are no remaining claims in this matter, the Clerk is **DIRECTED** to close this case.

IT IS SO ORDERED this 13th day of August, 2015.



MARK H. COHEN
United States District Judge